

WILLIAMS, GRAFFEO & STERN, LLC

ATTORNEYS AT LAW

Glenn J. Williams ♦◆◊■
Brian Graffeo ♦◆
David A. Stern ♦◆
Robert Selvers ♦◆
Lauren E. Komsa ♦◆▲
Joseph R. Haftek, Jr. ♦◆
Skylar C. Corrao ♦◆<
Rachel R. Cohen ♦◆
Edward S. Nagorsky ^+
Martin Liberman ♦◆◆+
Harold I. Steinbach ♦◆+
Mark Boyland ♦◆◊◄+
Robert S. Roche ♦+
Kenneth Kaplan ♦◆+
Michael Wechsler ♦◆+
Daniel G.P. Marchese ♦◆+●
Len Garza ♦◆◊+
Andrew Jacobs ♦+

60 Washington Street
Courthouse Plaza, Suite 204
Morristown, New Jersey 07960
Tel: 973.200.6350 Fax: 908.566.0777
www.WGSlawyers.com

New York Office:
462 Seventh Avenue, 12th Floor
New York, New York 10018

♦ Admitted New Jersey
◆ Admitted New York
◊ Admitted Pennsylvania
^ Admitted Florida
< Admitted Massachusetts
◆ Admitted Georgia
▲ Admitted California
◄ Admitted District of Columbia
■ Admitted United States Supreme Court
● Certified by Supreme Court of New Jersey as Civil Trial Attorney
+ Of Counsel

December 10, 2024

VIA ECF

Hon. Joseph F. Leeson, Jr. U.S. D.J. E.D. Pa.
United States District Court
Eastern District of Pennsylvania
Edward N. Cahn U.S. Courthouse and Federal Building
504 West Hamilton Street, Suite 3401
Allentown, Pennsylvania

RE: CHRISTOPHER SMITH VS. THE FINTEX GROUP, LLC AND ANDREW WEINSTEIN
CIVIL ACTION No. 5:24-cv-02134-JFL

Dear Judge Leeson:

This firm represents Plaintiff Christopher Smith (“Plaintiff”) in the above-captioned matter. We write jointly with counsel for Defendants, The Fintex Group, LLC, and Andrew Weinstein (“Defendants”), to respectfully request a 30-day extension of the current discovery deadlines.

In accordance with Your Honor’s Individual Policies and Procedures, Defendants submitted a request for a pre-motion conference on December 3, 2024, to address an outstanding dispute regarding documents they contend are protected by the attorney-client privilege. On December 4, Plaintiff responded and submitted its own request for a pre-motion conference seeking permission to file a motion to compel the production of these and other outstanding documents.

Yesterday, the parties held another meet-and-confer conference to address these issues. While we have made progress, certain issues remain unresolved, and efforts to resolve them without Court intervention are ongoing. Plaintiff maintains that depositions cannot proceed until all responsive documents have been produced, given Plaintiff's view that there remains substantial outstanding materials.¹

Pursuant to the Court's September 25, 2024 Order, the current deadlines are as follows: fact discovery must be completed by December 23, 2024 (also the deadline for summary judgment motions), and expert discovery, including expert depositions, must be completed by December 26, 2024. Despite the parties' diligence and compliance with the Court's Order, including Plaintiff's service of discovery requests prior to the Initial Pre-Trial Conference, scheduling depositions has been complicated not only by the ongoing discovery disputes, but also witness travel plans and the holiday season. Additionally, the parties continue to discuss settlement, which we hope may resolve this matter without further litigation.

To allow for the parties to continue resolving discovery disputes and negotiating settlement, the parties respectfully request a 30-day extension of the fact discovery deadline, with corresponding adjustments to subsequent deadlines.

The parties are prepared to address the above on the recently scheduled telephonic conference with Your Honor on December 17, 2024.

Thank you for Your Honor's time and consideration.

Respectfully submitted,

WILLIAMS, GRAFFEO & STERN, LLC

McNEES, WALLACE & NURICK LLC

Brian Graffeo

Brian P. Graffeo, Esq.

Erik Anderson

Erik Anderson, Esq.

¹ Defendants do not agree with this position. Nevertheless, in the interest of judicial economy, Defendants do join Plaintiff in seeking a 30-day extension of the fact discovery deadline, with corresponding adjustments to subsequent deadlines.